

REMARKS

The Office Action dated March 30, 2006 has been reviewed and the Examiner's comments carefully considered. Prior to this paper, claims 1-53 were pending in the application. By this paper, Applicants do not cancel or add any claims. Therefore, claims 1-53 remain pending.

Applicants respectfully submit that the present application is in condition for allowance for at least the reasons that follow.

Indication of Allowable Subject Matter

Applicants thank Primary Examiner Norman for allowing claims 1-27, 29-50, 52 and 53, and for indicating that claim 51 contains allowable subject matter.

Statement of Substance of Interview

Applicants thank Primary Examiner Norman for extending the courtesy of a telephone interview to Applicants' representative on June 27, 2006, where the present declaration was discussed, and where it was agreed that additional declarations, from the inventors, would be considered in the event of a Final Rejection.

In view of the interview of June 27, Applicants submit that the above provides a complete and proper recordation of the substance of the interview, per MPEP §713.04.

Rejections Under 35 U.S.C. § 102

Claim 28 stands rejected under 35 U.S.C. §102(e) as being anticipated by Trapp (United States Patent Application No. 2004/0223534). In response, Applicants traverse the rejection of this claim, and submit that the above claim is allowable for at least the reasons that follow.

35 U.S.C. §102(e)(1) states that a “person shall be entitled to a patent unless . . . the invention was described in an application for patent . . . ***by another filed in the United States before the invention by the applicant for patent.***” Applicants invented the invention of claim 28 prior to the U.S. filing date of Trapp (March 10, 2004), and thus Trapp is not prior art against claim 28.

As evidence of prior invention, the Declaration of Martin J. Cosenza (the Patent Attorney who primarily prepared the present application) is hereby provided in Appendix I. In that Declaration, Mr. Cosenza details how not only the full substance of the material taught and claimed in the present application was conveyed to him prior to the filing date of Trapp, but also how a copy of the exact application, as filed, existed at his office prior to the filing date of Trapp. In the Declaration, Mr. Cosenza details two separate and independent factors (electronic document records histories and billing logs) that he relied on as a basis for preparing his Declaration.

In sum, based at least on the Declaration, Trapp is not prior art against claim 28, as the present inventors conceived of the invention of claim 28 before the filing date of Trapp and were diligent in filing the present application.

Reconsideration and allowance of claim 28, and continued allowance of the remaining claims, is respectfully requested.

Conclusion

Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to

Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

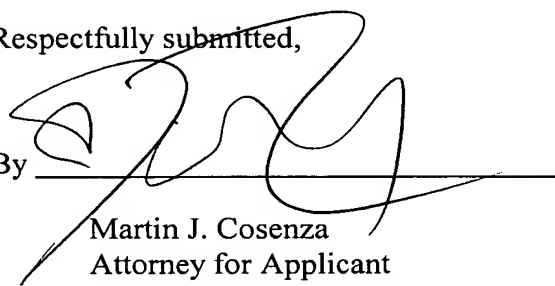
Examiner Norman is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

Date June 27, 2006

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Respectfully submitted,

By


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APPENDIX I